

Notice of Allowability

Application No.

10/815,303

Examiner

DHIRU R PATEL

Applicant(s)

SHOTEY ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/31/04 and 11/9/04.
2. ☒ The allowed claim(s) is/are 31-36 and 38-50.
3. ☒ The drawings filed on 31 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1104
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1104.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Dhiru R Patel
DHIRU R PATEL
Primary Examiner
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11/10/04

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Part III DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Kenneth Booth on 11/15/04.

2. The application has been amended as follows:

In the Claims:

31. (Currently amended) A metallic cover plate for an electrical switch or outlet, the metallic cover plate comprising: a base having a substantially planar member formed primarily of metal; wherein the metallic planar member comprises [at least one] a plurality of removable tabs [defined] being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member; wherein the at least one groove extends only partially through the metallic planar member for a majority of [its] the groove's length; and wherein removal of at least one of said tabs [the at least one tab] forms an aperture sized and shaped to receive an electrical hardware device selected from the group consisting of a switch, a duplex socket, a ground-fault circuit interrupt socket, and a single round electrical socket.

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33. (Currently amended) The metallic cover plate of claim 31, wherein removal of at least one of said tabs [the at least one tab] forms an aperture sized and shaped to receive a switch.

34. (Currently amended) The metallic cover plate of claim 31, wherein removal of [the at least one tab] at least one of said tabs forms an aperture sized and shaped to receive a duplex outlet.

35. (Currently amended) The metallic cover plate of claim 31, wherein removal of [the at least one tab] at least one of said tabs forms an aperture sized and shaped to receive a ground-fault circuit interrupt socket.

36. (Currently amended) The metallic cover plate of claim 31, wherein removal of [the at least one tab] at least one of said tabs forms an aperture sized and shaped to receive a single round electrical socket.

37. (Canceled).

38. (Currently amended) The metallic cover plate of claim 31, wherein [the at least one] at least one of said removable tabs forms a first tab set, the metallic planar member further comprising at least one of said removable tabs [least one] forming a second tab set, wherein removal of [the] at least one of said tabs forming the second tab set forms an aperture sized and shaped to receive a different electrical hardware device than the electrical hardware device for the first tab set, the electrical hardware device selected from the group consisting of a switch, a duplex socket, a groundfault circuit interrupt socket, and a single round electrical socket.

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40. (Currently amended) A metallic cover plate for an electrical switch or outlet, the metallic cover plate comprising: a base having a substantially planar member formed primarily of die cast metal; wherein the metallic planar member comprises [at least one] a plurality of removable tabs [defined] being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member; and wherein removal of [the at least] at least one of said tabs forms an aperture sized and shaped to receive an electrical hardware device selected from the group consisting of a switch, a duplex socket, a ground-fault circuit interrupt socket, and a single round electrical socket.

42. (Currently amended) The metallic cover plate of claim 40, wherein the at least one groove forms a periphery line around [the at least] at least one of said removable tabs.

43. (Currently amended) The metallic cover plate of claim 40, wherein [the at least] at least one of said removable tabs forms a first tab set [is a first set of removable tabs], and wherein the metallic planar member further comprising at least one of said removable tabs forms a second tab set [a second set of removable tabs comprising at least one removable tab], when removed the second tab set [of removable tabs, when removed], forming an aperture sized and shaped to receive a different electrical hardware device than the electrical hardware device for the first tab set, the electrical hardware device selected from the group consisting of a switch, a duplex' socket, a ground-fault circuit interrupt socket, and a single round electrical socket.

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44. (Currently amended) The metallic cover plate of claim 40, wherein removal of [the at least] at least one of said tabs forms an aperture sized and shaped to receive a duplex outlet.

45. (Currently amended) The metallic cover plate of claim 40, wherein removal of [the at least] at least one of said tabs forms an aperture sized and shaped to receive a ground-fault circuit interrupt socket.

46. (Currently amended) The metallic cover plate of claim 40, wherein [the at least] at least one of said removable tabs having a thickness and the at least one groove having a depth equal to between 40% and 50% of the thickness of the removable tabs.

47. (Currently amended) The metallic cover plate of claim 40, wherein [the at least] at least one of said removable tabs having a thickness, the planar member having said at least one groove on the front side having a depth equal to between 40% and 50% of the thickness, the planar member further having said at least one groove back side having a depth equal to between 20% and 40% of the thickness.

48. (Currently amended) The metallic cover plate of claim 47, wherein [the at least] at least one of said removable tabs having a thickness, the planar member having said at least one groove on the front side having a depth equal to between 20% and 50% of the thickness.

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49. (Currently amended) A die cast metallic cover plate for an electrical switch or outlet, the metallic cover plate comprising: a base having a planar member formed of die cast metal; wherein the metallic planar member comprises [at least a first] a plurality of tabs having at least a first tab set comprising at least one of said removable tabs [defined] being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member; and wherein removal of the first tab set forms an aperture sized and shaped to receive an electrical hardware device selected from the group consisting of a switch, a duplex socket, a ground-fault circuit interrupt socket, and a single round electrical socket.

50. (Currently amended) The metallic cover plate of claim 49, wherein the metallic planar member further comprises at least a second tab set comprising said at least one of said removable tabs, and wherein the second set of removable tabs, when removed, forms an aperture sized and shaped to receive a different electrical hardware device than the electrical hardware device for the first tab set, the electrical hardware device selected from the group consisting of a switch, a duplex socket, a ground-fault circuit interrupt socket, and a single round electrical socket.

3. The terminal disclaimer filed on 11/9/04 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent numbers 6,441,307, 6,583,358 and 6,723,922 have been reviewed and are accepted. The terminal disclaimer has been recorded.

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Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter: The primary reasons for the indication of the allowability of claims 31-36 and 38-50 are the inclusion therein, in combination as currently claimed, of the limitation of the metallic cover plate comprising: a base having a substantially planar member formed primarily of metal; wherein the metallic planar member comprises a plurality of removable tabs being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member (for claims 31-36, 38-39), the metallic cover plate comprising : a base having a substantially planar member formed primarily of die cast metal; and the planar member comprises a plurality of removable tabs being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member (for claims 40-48), and the metallic cover plate comprising: a base having a planar member formed of die cast metal; the metallic planar member comprises a plurality of tabs having at least a first tab set comprising at least one of said removable tabs being connected by at least one grooved portion in at least one of a front and a rear side of the metallic planar member (for claims 49-50). The previously listed limitations are neither disclosed nor taught by the prior art of record, alone or in combination.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other prior art cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shotey et al, shotey et al, Shotey et al, and Nattel disclose a cover similar to applicant's claimed invention.

Contact information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel
Primary Examiner
Group Art Unit 2831
November 13, 2004

Dhiru R Patel
11/13/04
DHIRU R. PATEL
PRIMARY EXAMINER